

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed August 29, 2006 ("Office Action"). Claims 1-25 were pending. Claims 1-25 are cancelled herein. New Claims 26-50 are added. Support for new Claims 26-50 can be found in the Specification as originally filed, particularly:

support for Claims 26, 37 and 48 can be found in paragraphs [0022]-[0023];
support for Claims 27 and 38 can be found in paragraphs [0022], [0027], and [0034];
support for Claims 28 and 39 can be found in paragraph [0032];
support for Claims 29-32 and 40-43 can be found in paragraph [0036];
support for Claims 33-34, 44-45, and 49 can be found in paragraph [0037];
support for Claims 35 and 46 can be found in paragraph [0039]; and
support for Claims 36, 47, and 50 can be found in paragraph [0034] of the Specification.
No new matter has been added. By this Amendment, Claims 26-50 are pending.

Interview Summary

A telephonic interview with Examiner Omar F. Fernandez Rivas occurred on February 8, 2007 per Applicant Initiated Interview Request submitted February 5, 2007. To expedite prosecution and place the present application in a condition for allowance, Applicant respectfully proposed to cancel claims 1-25 and add new claims 26-50 with a Request for Continued Examination ("RCE"). Applicant appreciates the Examiner's suggestion in further distinguishing newly added claims 26-50 from the closes prior art of record, Croy. In accordance with the Examiner's suggestion, claims 26-50 now particularly recite "content management rules." Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-25 were finally rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US2001/0037361 ("Croy"). Claims 1-25 are cancelled herein, rendering the rejection with respect to Claims 1-25 moot. Nevertheless, Applicant would like to address the Examiner's response to Applicant's arguments on pages 7-8 of the final Office Action dated August 29, 2006. Applicant respectfully disagrees with the Examiner's assertion that one of ordinary skill in the art, at the time the invention was made, would have considered Croy's rules pertaining to the validation of electronic transactions as "content management rules".

As described in paragraph [0006] of the Specification, content management applications determine which content is displayed on a web page. When a user interacts with the web page, the user's web browser sends the user interaction to the web server. In response, the content server can apply a content management rule to evaluate the user interaction and execute an action specified in the rule.

In contrast, Croy's rules do not appear to change how a web server manages the content it provides. In Croy, a web server is scanned and the content of a web site provided by the web server is parsed into static portions and transactional portions. See Croy, *Abstract*, *para.* 10. As disclosed by Croy, web content is oriented to human beings, so enabling a machine to communicate with a web server is not an easy task. See Croy, *para.* 31. This is a problem particular to Croy as Croy employs an unmanned application to process electronic transactions *between* a user and the web site. See Croy, *para.* 30. To solve this problem, Croy discloses a four step process to obtain the content *from* a web server via transactional tunneling. See Croy, *paras.* 29-32, Figures 3 and 4. The first step is to scan the web server and identify the connection rules. *Id.* at *para.* 32. The connection rules (i.e., rules for interacting with the web site) are then stored and periodically checked and validated against the web site. *Id.* As particularly exemplified in Croy, Croy's methods and systems can be used as a proxy for advertisements that are capable of communication *with* a web site. See Croy, *para.* 56. Fundamentally, Croy's invention is not about content management at a web server. Consequently, one of ordinary skill in the art, at the time the invention was made, would not have considered Croy's rules as "content management rules".

Unlike Croy, embodiments of the invention provide robust real-time management of content provided by content servers (e.g., web servers) in a network environment. Prior content management systems typically update content management rules on a batch basis. See Specification, *para.* 8. That is, the rules governing which content is displayed remain constant between batch analyses. *Id.* Embodiments of the invention solve this problem by allowing the rules applied to user interactions to be dynamically changed. See Specification, *para.* 12. Specifically, embodiments of the invention provide a system and method for robust real-time management of content, comprising associating content management rules with rule conditions which determine the applicability of each rule to the content, dynamically updating the state of each rule condition, selectively applying applicable rules to the content depending upon the state of the rule conditions which are associated with a predefined goal, and, upon reaching the predefined goal, automatically and dynamically changing the rules applied to the content, thereby affecting the content which is then presented to the user(s). See Specification, *paras.* 22-23. One advantage of the claimed invention is that it obviates the need to wait for batch data analysis to the set of content management rules applicable to real-time user interactions. See Specification, *para.* 12. In view of the foregoing, Claims 26-50 are submitted to recite subject matter not reached by Croy and therefore should be allowed.

Conclusion

Applicant has now made an earnest attempt to place the present application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, favorable consideration and a Notice of Allowance of all pending Claims 26-50 is respectfully solicited. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. The Examiner is invited to telephone the undersigned at the number listed below for discussing an Examiner's Amendment or any suggested actions for accelerating prosecution and moving the present application to allowance.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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